

<p style="text-align: center;">Procurement Questions</p>		Agency Name _____ Date _____ Reviewer _____
1. Has your organization adopted a written code of ethics or standard of conduct (SOC) to govern the activities of employees, board members, or agents involved in procurements financed with FTA funds?		Required. [FTA C 4220.1F, III-1]
2. Does your agency's code of ethics (/SOC) detail penalties, sanctions or disciplinary actions that shall be taken for violations?		Required. [FTA C 4220.1F, III-1]
3. Is your agency's code of ethics (/SOC) explicit with regard to how potential personal conflicts are to be reported (by whom/to whom) and how the situation will be resolved?		Required.
4. Does your agency have <u>signed</u> pre-&-post-procurement audit certifications on file for all revenue vehicles bought over the last three years?		Required.
5. Have procurement procedures been addressed in any agency audits? If so, what was the finding/recommendation? Did the system comply with the finding/recommendation?		No specific requirement. Depends on finding.
6. Have there been any procurement protests over the past three years? If so, what was the outcome?		No specific requirement.
7. Have there been any complaints about violation of Federal law or regulations in procurement actions? If so, what was the complaint and how was it resolved?		No specific requirement.
8. Does your agency have a written protest procedure?		Required. [FTA C 4220.1F, VII-1.]
9. Are your agency's policies and procedures for transit procurements documented?		Required. [FTA C 4220.1F, III-3]
10. Does the documentation of policies and procedures reflect current practice? _____ Are the policies and procedures followed?		Required.
11. Who established the procurement policies and procedures? Have they been officially adopted?		Information.

<p>12. Within your agency, who handles procurement of...</p> <p>Transit rollingstock? _____</p> <p>Transit facilities/construction? _____</p> <p>Transit equipment bought under a capital grant? _____</p> <p>Equipment charged to transit, but not under a capital grant? _____</p> <p>Office supplies charged to transit? _____</p> <p>Professional services charged to transit?</p> <p> Management services? _____</p> <p> Audit services? _____</p> <p> Bookkeeping services? _____</p> <p> Legal services? _____</p> <p>Insurance charged to transit? _____</p> <p>Employee benefits charged to transit? _____</p> <p>Maintenance services charged to transit?</p> <p> Vehicle maintenance? _____</p> <p> Facility maintenance? _____</p> <p> Office equipment maintenance? _____</p> <p>Passenger transportation services? _____</p>		<p>Information. (See further questions.)</p>
<p>13. Are all of the persons indicated above provided with a copy of your agency's written policies and procedures for transit procurements?</p>		<p>Not required, but since the actions of all of these individuals affect the agency's overall compliance, this is strongly recommended.</p>
<p>14. What training has been provided to these individuals?</p> <p>Indicate with an asterisk (*) above which persons have attended an FTA procurement course.</p>		<p>Training is strongly recommended. (Information will be input to training function.)</p>

15. Do these individuals have access to FTA Circular 4220.1F and the FTA Best Practices Procurement Manual on-line at the FTA web site?		Not required, strongly recommended.
16. What procurement method [<i>micro-purchase, small purchase procedure (quotes), formal (sealed) bid, request for proposal, request for qualification, sole source</i>] is most often used for the following procurement? [If more than one is used, note additional.] Transit rollingstock? _____ Transit facilities/construction? _____ Transit equipment bought under a capital grant? _____ Equipment charged to transit, but not under a capital grant? _____ Office supplies charged to transit? _____ Professional services charged to transit? Management services? _____ Audit services? _____ Bookkeeping services? _____ Legal services? _____ Insurance charged to transit? _____ Employee benefits charged to transit? _____ Maintenance services charged to transit? Vehicle maintenance? _____ Facility maintenance? _____ Office equipment maintenance? _____ Passenger transportation services? _____		See later questions.
17. What involvement does your agency's policy board have in procurements?		Information – possible need for training?

18. Has the board overturned staff recommendations on any procurements involving transit? If so, explain.		Information – possible need for training?
19. Are solicitations and contractual provisions reviewed by legal counsel for conflicts with federal procurement law, state or local law, or board policies?		Information.
20. Have there been any violations of the rules governing the acceptance of gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements? _____ If so, were sanctions imposed? _____ If not, why not?		Code of conduct with sanctions is required. Failure to impose sanctions could imply lack of actual code.
21. Does your agency incorporate any preference for local vendors or Iowa vendors in any of your procurements for items charged to transit?		Prohibited. (Except for A&E services.)
22. Are you aware of any local vendors/suppliers which are owned and run by minorities or women? _____ If so, has your agency made any effort to get them certified as DBEs?		Good faith effort required.
23. Describe your agency's efforts to seek out and utilize DBE vendors?		Good faith effort required.
24. Who makes the determination to seek DBE participation in any particular procurement?		Information.
25. Has your agency participated in any intergovernmental agreements to purchase items charged to the transit program? _____ If so, how did you assure that the FTA procurement requirements were met?		Can obtain services from another governmental unit without competition, but any joint purchases must comply with FTA requirements. [4220.1F, V-4.]
26. Have any items charged to the public transit program over the past 2 years been purchased from businesses owned by board or staff members of your organization or by members of their families? _____ If so, please explain how a conflict of interest was avoided.		Compare with written policy.
27. In the past three years, has your agency collected liquidated damages under any transit procurement? _____ If so, were the damages collected credited back to the grant funding the procurement?		Required, unless specific waiver received from FTA. [FTA C 4220.1F,VII-4b]

28. Do you have a listing of the purchases/procurements which have been charged to the transit program over the last year?		Required.
29. Does your agency maintain a written record of the history of each procurement charged to the transit program? _____ If so what information is recorded?		Required. [FTA C4220.1F, III-3d] Must include 1) rationale for method of procurement, 2) selection of contract type, 3) reason for contractor/vendor selection, and 4) basis for contract price.
30. For micro-purchases (under \$3,000), if FTA's non-competitive process is followed, how does your agency assure an equitable distribution of awards among qualified vendors?		Required. [FTA C4220.1F, VI-3a]
31. When using FTA "micro-purchase" procurement method, how does your agency determine that the price is "fair and reasonable?"		Required. [FTA C4220.1F, VI-3a]
32. Does your agency use "brand names" in procurement specs? _____ If so, are "equals" allowed and have you defined what the salient features of the brand name product are?		Required. [FTA C4220.1F, VI-2a]
33. Are purchases made from petty cash or using credit cards included in your agency's procurement procedures?		Same requirements apply.
34. Are "emergency" procurements subject to your agency's transit procurement policies and procedures? _____ How many "emergency" procurements were made over the last year?		Emergencies can happen, but multiple emergencies may indicate a general failure to follow established/required procedures.
35. Does your agency make payment to any vendors in advance of receiving the merchandise or in advance of the service being performed?		May do so using local money, but if federally funded, may not draw down FTA funds until delivery/acceptance. Must have been awarded grant or received letter of no prejudice or other pre-award authority in order to receive federal reimbursement. [FTA C4220.1F, IV-2b]
36. If advance payments were made under any capital grants, were federal funds drawn down prior to the delivery of the merchandise or performance of the services involved?		Prohibited. (See above.)

37. Has your agency made progress payments under any FTA capital project? _____ If so was title to the completed work, letter of credit, or equivalent measures obtained prior to requesting federal reimbursement?		Required. [FTA C4220.1F, IV-2b]
38. Within the last two years, have any procurements been awarded to other than the lowest responsive and responsible bid/quote?		Prohibited. [FTA C9220.1F, VI-8]